

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES (Filing No. H-602)  
109TH LEGISLATURE  
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 921, L.D. 1163, Bill, "AN ACT to Encourage the Use of Solid Waste as a Fuel Source."

Amend the bill by striking out all of section 3 and inserting in its place the following:

'Sec. 3. 38 MRSA §598, sub-§4 is enacted to read:

4. Review. The Board of Environmental Protection shall conduct a hearing as expeditiously as possible to review the visible emission standards of this section. This review shall include the adequacy of the present standards, the need to develop different standards for fuel burning equipment, general processes, solid waste-burning equipment and multiple equipment discharging from a single stack, and the effect of malfunctions, startup and shutdown of equipment. In the event that the board determines that there is sufficient evidence to amend the visible emission standard it shall state the effective date on which the amended standards shall replace these standards and take immediate steps to revise the State's air quality implementation plan. Any public hearing conducted under this section may be held in a single air quality region or in Augusta at the board's discretion.'

Further amend the bill in section 5, in subsection 2, by striking out all of the 2nd sentence and inserting in its place the following:

'If monitoring data or modeling information is available to demonstrate, on a case by case evaluation, that ambient air quality standards or applicable increments will not be violated by an emission rate from any solid waste fuel-burning equipment in excess of the rate set forth in Figure A, this higher emission rate shall apply to this equipment. For purposes of obtaining necessary state and federal approval of the higher emission limitation for solid waste fuel-burning equipment, it shall be the responsibility of the person operating the solid waste fuel-burning equipment to acquire and present appropriate monitoring data or modeling information to the department.'

Further amend the bill by striking out Figure A.  
Statement of Fact

This amendment allows more flexibility for sources to convert to use solid waste fuel and reduce dependence on costly imported oil. It also recognizes the potential problems in starting up, shutting down and temporary malfunctions.

It also permits the Department of Environmental Protection to set a separate emission limitation for solid waste fuel-burning equipment if sufficient data is provided by the operator to justify the change.